[MR. DEPUTY CHAIRMAN in the Chair]

GOVERNMENT BILL

The Agricultural and Processed Food Products Export Development Authority (Amendment) Bill, 2008

THE MINISTER OF STATE IN THE DEPARTMENT OF COMMERCE, MINISTRY OF COMMERCE AND INDUSTRY AND THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRI JAIRAM RAMESH): Sir, I move:

That the Bill to amend the Agricultural and Processed Food Products Export Development Authority Act, 1985, as passed by Lok Sabha, be taken into consideration.

Sir, with your permission, I would like to make a brief opening statement on this important Bill that was passed by the Lok Sabha in the last Session and that is coming before this House for passage today.

Sir, as the hon. Members are aware, Basmati rice is one of the most well-known and internationally recognized geographic indications that comes from this sub-continent. Sir, in 1999, Parliament passed the Geographical Indications Registration and Protection Act, and this Act came into being in September, 2003. Since then, 104 geographic indications have been awarded and are being used in the market place by various users. The first geographic indication that was awarded was in 2003 and that was to Darjeeling tea. The present Bill empowers APEDA to go for registration of Basmati rice as a geographic indication.

Sir, as the hon. Members are aware, in the last few years, there have been a number of instances where the name Basmati has been infringed upon in various parts of the world. In the U.S. itself, there have been a number of cases where Basmati rice is being sold under the trademark of Texmati, Canmati and so on and so forth. In fact, Sir, we have documented over 300 instances where the name Basmati has been wrongly used. What this Bill does is it empowers APEDA to go for a geographic indication so that the name Basmati is fully protected. Basmati, of course, is the first and most prominent example of the benefit that will accrue from this Bill.

There are many other instances where intellectual property rights on food products can be protected, both in India as well as abroad. Sir, in India, the word 'Basmati' is used for aromatic rice, long-grain rice that is cultivated predominantly in Punjab, Haryana, Uttarakhand, Western U.P. and parts of Jammu and Kashmir. Today, anywhere between 3-4 lakh farmers grow Basmati rice and, this year i.e., 2008-09, we estimate that about 1.5-1.6 million tonnes of Basmati rice would be exported and the total export earnings would be anywhere between Rs. 7,000-7,500 crores. Now, the traditional rights of the farmers are not being impinged upon in any way through this proposed legislation. All that this legislation does is to empower APEDA to own the Trade Mark or Geographic Indication of Basmati for the benefit of the users and fight for the infringement of the word Basmati.

On 28th November, 2008, APEDA has already applied to the Geographic Indications Registry which is located in Chennai. This whole process takes about 6-7 months, and we hope that at the end of this period the Geographic Indication for Basmati rice would be given. The owner of the Geographic Indication would be APEDA like the Tea Board is the owner for the Geographic Indications of Darjeeling Tea. Likewise, the APEDA would then be empowered by Parliament to have the statutory powers to fight for protection of Basmati.

Sir, I will just make one more point before I conclude. This is with regard to joint registration of Basmati rice with Pakistan. It is a very important issue. As you know, Sir, traditionally, Basmati rice has been an appellation of rice not only grown in India but also in Pakistan. Basmati rice belongs to the Himalayan foothills of the undivided subcontinent. We have had a large number of meetings with Pakistan over the last few years. The last meeting of the Joint Working Group on Basmati rice was held on 7-8th November, 2008. Our intention was to go and explore the possibility of a joint Geographic Indication, particularly in the E.U., because we export about 1.5 million tonnes of Basmati rice and Pakistan exports about 1.2 million tonnes of Basmati rice. Sir, Basmati is important for India and Pakistan and nowhere else in the world it is grown. Unfortunately, because of the horrendous attacks on 26th November in Mumbai, all negotiations and communications on this issue have been put on the backburner and rightly so. We had arrived at some way forward of joint action with Pakistan. But, I am afraid, that will have to wait till full normalisation of relations take place. Meanwhile, Sir, what has happened — this is what gives urgency to this Bill today — is that a body called the Basmati Growers Association in Lahore applied and got the Trade Mark on the word Basmati from the Registrar of Trade Marks in Pakistan. The APEDA has objected to it. Those objections have not been taken into consideration and the Trade Mark 'Basmati' was given. Sir, APEDA's case was weak, because there was no statutory backing for APEDA for owning this Geographic Indication. Now, the appeal of APEDA against this decision of the Pakistani Registrar of Trade Mark in the High Court of Sindh in Karachi has been admitted and we hope that this appeal will be heard and APEDA's appeal will result in trade mark been given to the Basmati Growers Association of Lahore will be nullified and, with the statutory backing that the APEDA will have, we believe, this would enormously strengthen APEDA's case. After APEDA gets the Geographic Indication in India, we will apply for Geographic Indication in Europe, because we cannot apply for protection abroad unless we protect the name in our own country. I am sorry that it has really taken us so long. It is something that this should have happened many years ago. But, unfortunately, because of a variety of reasons, we have not been able to protect the word Basmati which, in my view, should have been done immediately after the Act was passed by Parliament in 1999 and notified in 2003.

Sir, the word 'basmati', I reiterate is used for long range aromatic rice grown in Punjab, Haryana, Uttarakhand, Western U.P. and parts of Jammu & Kashmir. I say this, Sir, because there is a great move, there is a demand, there is a desire to expand the definition of what is basmati rice. Today, rice grown in Madhya Pradesh, rice grown in Kerala, rice grown in Karnataka is being claimed as basmati rice. Sir, this makes a mockery of the word 'basmati'. I appeal to the hon. Members of the House that let us restrict basmati to the Himalayan foothills and not define basmati in such a general way that it makes the protection totally meaningless. I say this, Sir, because I have got requests from various Members of Parliament belonging to some different States saying that their rice should also be classified as basmati rice. I make a humble plea to all such Members not to expand the definition of basmati to make it completely meaningless; otherwise, we will not be able to provide protection for this word 'basmati rice'.

With these few words, Sir, I commend this Bill to the House.

The question was proposed.

MR. DEPUTY CHAIRMAN: Further consideration of the Bill be taken up at 2 o' clock. The House is adjourned for lunch till 2 o' clock.

The House then adjourned for lunch at forty-six minutes past twelve of the clock.

The House re-assembled at two of the clock,
MR. DEPUTY CHAIRMAN in the Chair

STATEMENT BY MINISTER

Accident due to Derailment of 2841 Howrah—Chennai Coromondal Express at Jajpurkeonjhar Road Station of East Coast Railway on 13.02.2009

MR. DEPUTY CHAIRMAN: *Suo motu* statement by the Minister of Railways, Shri Lalu Prasad.

रेल मंत्री (श्री लालू प्रसाद) : महोदय, मुझे सदन को यह सूचित करते हुए अत्यंत दु:ख हो रहा है कि दिनांक 13.2.2009 को सायं लगभग 7 बजकर 50 मिनट पर जब 2841 अप हावड़ा-चेन्नई कोरोमंडल एक्सप्रेस जाजपुर क्योंझर रोड स्टेशन पार कर रही थी, उसी समय गाड़ी के इंजन एवं 16 डिब्बे पटरी से उतर गए जिनमें से इंजन सहित 7 डिब्बे पलट गए। अभी तक प्राप्त सूचना के अनुसार इस दुर्घटना में 9 यात्रियों की मृत्यु हो गई, 5 यात्री गम्भीर रूप से घायल हो गए और 121 यात्रियों को साधारण चोटें आईं। घायल यात्रियों को जाजपुर क्योंझर तथा कटक के सरकारी अस्पतालों में भर्ती करा दिया गया। इनमें से 77 यात्रियों को प्राथमिक उपचार के बाद अस्पताल से छुट्टी दे दी गई है।

घटना की सूचना मिलते ही खुर्दा रोड और भद्रक से राहत एवं बचाव कार्य दल घटनास्थल के लिए रवाना हो गए। महाप्रबंधक, पूर्व तटीय रेलवे तथा मंडल रेल प्रबंधक, खुर्दा रोड संबंधित अधिकारियों के साथ दुर्घटना स्थल पर पहुंचे। दिल्ली से विशेष विमान द्वारा रेल राज्य मंत्री श्री आर. वेलू जी, अध्यक्ष रेलवे बोर्ड, सदस्य इंजीनियरिंग तथा महानिदेशक, रेल स्वास्थ्य सेवा तत्काल घटना-स्थल के लिए रवाना हो गए। उन्होंने घटनास्थल का दौरा कर राहत एवं बचाव कार्यों का निरीक्षण किया, घायलों एवं मृतकों के परिवारजनों से मुलाकात की तथा सभी आवश्यक उपचार व्यवस्था नि:शुल्क कराने के लिए निर्देश दिए।